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11 DISTRICT

12 **UNITED STATES DISTRICT COURT**

13 **NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION**

14 R.R., by and with his parent ROSLYN
15 RUCKER,

16 Plaintiffs,

17 vs.

18 OAKLAND UNIFIED SCHOOL DISTRICT,

19 Defendant.

20 CASE NO. 4:13-cv-5069 (KAW)

21 **STIPULATED REQUEST TO DISMISS
22 PURSUANT TO FRCP RULE 41**

23 The Hon. Kandis A. Westmore

24 Trial Date: None Set

25 Pursuant to Rule 41 of the Federal Rules of Civil Procedure and the Settlement Agreement
26 between the parties, Plaintiff R.R. and Defendant Oakland Unified School District (“OUSD”)
27 hereby stipulate as follows:

28 WHEREAS the parties engaged in a Judicial Settlement Conference before the Hon.
29 Maria-Elena James and entered into a Settlement Agreement on November 4, 2014, subject to
30 approval by OUSD’s Governing Board and the fulfillment of certain conditions subsequent;

31 WHEREAS OUSD’s Governing Board approved the settlement on December 10, 2014;

32 WHEREAS the conditions subsequent to the Settlement Agreement occurred on or about
33 March 4, 2015;

34 WHEREAS OUSD started its performance under the Settlement Agreement on or about
35 April 23, 2015;

1 WHEREAS the Settlement Agreement requires Plaintiff to dismiss his action in this Court
2 with prejudice;

3 THE PARTIES STIPULATE that the instant action be dismissed **with prejudice**.

4
5 DATED: June 19, 2015 FAGEN FRIEDMAN & FULFROST, LLP

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7 By: _____ /s/ David R. Mishook
8 David R. Mishook
9 Attorneys for OAKLAND UNIFIED SCHOOL
DISTRICT

10 DATED: June 19, 2015 S.F. CHILDREN'S LAW

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12 By: _____ /s/ Sheila Brogna
13 Sheila Brogna
14 Attorneys for R.R.

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16 PURSUANT TO STIPULATION IT IS ORDERED THAT this matter be dismissed WITH
17 PREJUDICE.

18 DATED: June 22, 2015

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20 
Hon. Kandis A. Westmore

21 00319-00181/784434.1

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